PETITIONER:	CASE NUMBER:
RESPONDENT:	
OTHER:	

APPLICATION FOR SEPARATE TRIAL (Family Law)

Attachment to ☐ Order to Show Cause ☐ Notice of Motion

I, *(name)*: _____, request that the court sever (bifurcate) and grant an early and separate trial on the following issue or issues:

1. a. ☐ Dissolution of the status of the marriage (Fam. Code, § 2337).

   I will serve with this application my preliminary declaration of disclosure and completed schedule of assets and debts unless it has been previously served or the parties have stipulated in writing to defer service.

   b. ☐ I request the following conditions be made:

   (1) ☐ That I indemnify and hold the other party harmless from "taxes, reassessments, interest and penalties" payable in the event that a dissolution prior to the property division results in taxes that would not have been payable if the parties were still married at the time of the division.

   (2) ☐ That I maintain health and medical insurance for the other party and minor children as long as possible, and then must obtain comparable coverage or pay any expenses that would have been covered by insurance.

   (3) ☐ That I hold the other party harmless re probate homestead.

   (4) ☐ That I hold the other party harmless re probate family allowance.

   (5) ☐ That I hold the other party harmless re pension benefits, elections, or survivors' benefits.

   (6) ☐ That I join the pension plan and, if the other party has a private plan covered by ERISA, shall cause a Qualified Domestic Relations Order (QDRO) to be served on the plan.

   (7) ☐ That I hold the other party harmless re social security benefits.

   (8) ☐ Any other condition that the court determines is just and equitable.

2. ☐ Permanent custody and visitation of the child(ren) of the marriage.

3. ☐ Date of separation of the parties.

4. ☐ Alternate valuation date for property

5. ☐ Validity of marital settlement agreement entered into prior to or during the marriage.

6. ☐ Other *(specify)*:

7. ☐ I request that the court conduct this separate trial at the hearing date.
   or
   ☐ I will, at the hearing, ask the court to set a date for this separate trial.

8. The reasons in support of this request are *(specify)*:
   ☐ Points and authorities attached.   ☐ Supporting declarations attached.

Page ___ of ___

APPLICATION FOR SEPARATE TRIAL
(Family Law)

WEST GROUP